IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 59 OF 2007

Subhash Nana Raut ..Applicant
Vs.
The State of Maharashtra ..Respondent

Mr. H.S. Venegavkar for applicant.
Ms. R.M. Gadhvi, APP for State.

CORAM: B.H. MARLAPALLE, J.
Date : January 18, 2007.

P.C.:

1. Heard the learned counsel for the applicant who is accused no.4 in C.R. No.105 of 2006 registered with Sangola Police Station for the offences punishable under Sections 302, 201, 364, 147, 148, 323, 324 and 149 of IPC. All the eight accused had applied for bail in Criminal Misc. Application No.378 of 2006 and the learned Additional Sessions Judge at Pandharpur by his order dated 30/10/2006 rejected the prayer of accused nos.1 to 6 but allowed the prayer for being released on bail of accused nos. 7 and 8.

2. Subsequently, accused nos.1 to 3 filed Criminal Application No. 4257 of 2006 before this court which came to be allowed on 13/12/2006 by imposing certain conditions. It is submitted by the learned counsel for the applicant that the applicant

being accused no.4, he is entitled to be released on bail for the same reasons and on the same conditions as noted by this court in the order dated 13/12/2006. Even in the reasons set out by the learned Additional Sessions Judge in the order dated 30/10/2006 in rejecting the prayer for being released on bail, no separate role has been assigned to the applicant-accused no.4 as compared to accused nos.1 to 3 who already have been released on bail by this court, as noted earlier.

3. Hence this application succeeds and the same is hereby allowed. The applicant is directed to be released on bail in connection with C.R. No.105 of 2006 registered with Sangola Police Station on executing personal bond in the sum of Rs.10,000/- with two local sureties in the like amount and on the following conditions:-

(a) The applicant shall not influence prosecution witnesses or tamper with the prosecution evidence in any manner whatsoever.

(b) The applicant shall report to the

concerned police station once in a week on every Saturday between 5 p.m. and 7 p.m. till conclusion of the trial. The applicant shall reside outside the village Modshingi but within the Sangola District. The applicant shall not enter the limits of village Modshingi till the trial is concluded.

(c) The applicant shall disclose his place of residence to the I.O. as well as the trial court where he would stay after the release on bail and shall report to the trial court before he travel beyond the State of Maharashtra where he would ordinarily reside.

(d) The applicant shall co-operate for early disposal of the trial. In the event, the trial court is of the opinion that the applicant is responsible for delay in trial, that be recorded in roznama and that can be the basis for cancellation of bail.

(B.H. Marlapalle,J.)